EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 4

DOCKET NO.: 2007-1456-PWS-E **TCEQ ID:** RN101388544 **CASE NO.:** 34591

RESPONDENT NAME: City of Mart

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
_AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Public water support of the distribution system was brown and green. INTERESTED PARTIES: Complaints were Agenda. COMMENTS RECEIVED: The Texas Regulation of the distribution of the distr	No uplaints were received on July 3, 2007, July 10, 2007. There is no record of additional pending enforcement received but the complainants have not expressed to sister comment period expired on March 31, 2008. None: None: Mr. Epifanio Villarreal, Enforcement Division, Enforcement Di	y, and August 8, 2007, alleging the water in ent actions regarding this facility location. The desire to protest this action or speak at the comments were received.
Respondent: The Honorable Calvin	n Jones, Jr., Mayor, City of Mart, P.O. Box 360, Ma sented by counsel on this enforcement matter	rt, Texas 76664

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$9,877 **Corrective Actions Taken:** X Complaint 1) The Executive Director recognizes that X Routine Total Deferred: \$1,975 Enforcement Follow-up the City has implemented the following X Expedited Settlement corrective measures at the Facility: Records Review __Financial Inability to Pay a) Provided documentation demonstrating **Date of Complaints Relating to this** compliance with the disinfection residual Case: July 3, 2007, July 10, 2007, and SEP Conditional Offset: \$0 requirement on July 11, 2007; August 8, 2007 Total Paid to General Revenue: \$7,902 Date of Investigations Relating to this b) Submitted a photo demonstrating compliance with the locked building that Case: July 10, 2007 and August 16, 2007 Site Compliance History Classification houses the raw water pumps, as High Average Poor documented on October 26, 2007; Date of NOEs Relating to this Case: August 17, 2007 and September 19, 2007 Person Compliance History Classification c) Repaired and rendered the fences at the (NOEs) __ High X Average __ Poor Hawkins and Lumpkin elevated storage Background Facts: These were routine tank sites intruder-resistant, as documented Major Source: X Yes ___ No on October 26, 2007; complaint investigations. Applicable Penalty Policy: September 2002 d) Began initiating a maintenance WATER program to ensure the appearance of the Facility by clearing the overgrown 1) Failure to maintain a free chlorine vegetation from the fence at the standpipe, residual of at least 0.2 milligrams per liter as documented on October 26, 2007; ("mg/L") throughout the distribution system [30 Tex. ADMIN. CODE § 290.110(b)(4) and Tex. HEALTH & e) Submitted photos demonstrating compliance with the leaks at the surface SAFETY CODE § 341.0315(c)]. water treatment plant's below ground storage tank's overflow, valve at the 2) Failure to provide an intruder-resistant Highway 164 site, and valve on the fence to protect the Facility's raw water pumps [30 Tex. Admin. Code Lumpkin's elevated storage, as documented on October 26, 2007; § 290.41(e)(5)] f) Submitted a photo demonstrating 3) Failure to provide an intruder-resistant compliance with the vacuum breaker fence to protect the Facility's elevated and equipment, as documented on October 26, ground storage tanks [30 Tex. ADMIN. 2007; CODE § 290.43(e)]. g) Posted a legible sign containing the 4) Failure to initiate maintenance and name of the water supply and emergency housekeeping practices to ensure the good telephone numbers at the raw water intake working condition and general appearance site, as documented on October 26, 2007; of the system's facilities and equipment [30 TEX. ADMIN. CODE § 290.46(m)]. h) Submitted a photo of the hinged flap valve type on the Hawkins Street elevated 5) Failure to maintain all treatment units, tank, as documents on October 26, 2007; storage and pressure maintenance facilities, distribution system lines and related i) Submitted documentation appurtenances in a watertight condition. demonstrating compliance with American Specifically, at the time of the National Standards Institute/National investigation, there were leaks observed at Sanitation Foundation Standard 60 for all the Facility's below ground storage tank's of the chemicals used by the system and overflow, a valve at the Highway 164 site, submitted the backflow prevention

a valve on the Lumpkin elevated storage

RESPONDENT NAME: City of Mart **DOCKET NO.:** 2007-1456-PWS-E

- tank, and a large leak in the bolted steel ground storage tank at the Facility [30 Tex. Admin. Code §§ 290.46(m)(4) and 290.43(c)(6)].
- 6) Failure to store dry chemicals off the floor in a dry room that is located above the ground and protected against flooding or wetting from floors, walls, and ceilings [30 Tex. Admin. Code § 290.42(f)(1)(D)].
- 7) Failure to provide vacuum breakers on each hose bibb within the Facility 30 Tex. ADMIN. CODE § 290.42(d)(2)(A)].
- 8) Failure to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted [30 Tex. Admin. Code § 290.46(t)].
- 9) Failure to design a proper roof slope on the ground storage tank in accordance with American Water Works Association ("AWWA") standards so that no water ponds at any point on the roof and the roof has a slope of less than 0.75 inches per foot [30 Tex. ADMIN. CODE § 290.43(c)].
- 10) Failure to provide adequate containment facilities for all liquid chemical storage tanks [30 Tex. Admin. Code § 290.42(f)(1)(E)(ii)].
- 11) Failure to maintain the overflow on the Facility's storage tanks in strict accordance with current AWWA design standards [30 Tex. Admin. Code § 290.43(c)(3)].
- 12) Failure to equip each filter with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators [30 Tex. ADMIN. Code § 290.42(d)(11)(D)(i)].
- 13) Failure to provide water system records to Commission personnel at the time of the investigation [30 Tex. ADMIN. CODE § 290.46(f)(2)].
- 14) Failure to seal the wellhead with a gasket or sealing compound to prevent the possibility of contaminating the well water [30 Tex. ADMIN. CODE § 290.41(c)(3)(K)].

assembly test reports, as documented on October 26, 2007; and

j) Sealed the well head to the sealing block and sealed the cracks on the sealing block, as documented on October 26, 2007.

Ordering Provisions:

- 2) The Order will require the Respondent to:
- a) Within 10 days after the effective date of this Agreed Order, begin compiling and maintain properly completed monthly water works operation reports and maintenance records, including but not limited to: annual tank inspection forms for all water storage tanks, calibration records for flow measuring devices, and customer service agreements;
- b) Within 30 days after the effective date of this Agreed Order:
- i. Provide proper chemical storage for the calcium hypochlorite;
- ii. Provide secondary containment facilities for the liquid ammonium sulfate drums; and
- iii. Employ a water works operator who holds a minimum of a Class "C" surface water license and have the current operators take the required surface water Unit I and II courses.
- c) Within 45 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.g., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and b.
- d) Within 60 days after the effective date of this Agreed Order:
- i. Provide intruder-resistant fences or lockable buildings to protect the Highway 164 ground storage tank site;
- ii. Ensure that the hinged flap valve on the bolted ground storage tank at the surface

RESPONDENT NAME: City of Mart **DOCKET NO.:** 2007-1456-PWS-E

15) Failure to employ an additional water works operator for a surface water system that serves more than 1,000 connections with a valid applicable license [30 Tex. ADMIN. CODE § 290.46(e)(6)(B) and Tex. HEALTH & SAFETY CODE § 341.033(a)].		water treatment is properly placed and not submerged in water; iii. Equip each filter at the Facility with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow
		iv. Repair the leak in the bolted steel ground storage tank.
		e) Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.g., and including supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d.;
		f) Within 90 days after the effective date of this Agreed Order, repair or replace the clearwell's roof so that it conforms to AWWA standards such that no water ponds at any point on the roof and the roof has a slope of less than 0.75 inches per foot; and
		g) Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.f.
	. 3	Signatura de este de la Mijeria de este de la martina d La martina de la

Additional ID No(s).: PWS ID No. 1550005

Policy Revision 2 (Se	Penalty Calculatio	n Worksheet (P		eptember 19, 2007
	1 13-Aug-2007 / 10-Sep-2007	EPA Due		
RESPONDENT/FACILITY Respondent Reg. Ent. Ref. No Facility/Site Region	t City of Mart . RN101388544	Major/Minor Source	Major	
	. 2007-1456-PWS-E Public Water Supply		A CONTRACTOR OF A CANADA CANADA CONTRACTOR OF THE CONTRACTOR OF TH	100 100 100 100 100 100 100 100 100 100
TOTAL BASE PENA	Penalty Calcula LTY (Sum of violation base penaltic		Subtotal 1	\$6,100
ADJUSTMENTS (+/-				
Compliance His	The penalty enhancement is due to three ("NOV") containing violations that are the	Enhancement Subtraction Prior Notices of Violation e same as or similiar to the ns, one prior dissimilar NOV,	otals 2, 3, & 7	\$3,477
Culpability: Note:	No 0% The Respondent does not meet the		Subtotal 4	\$0
Good Faith Effo Extraordinar Ordinar N// Notes	Before NOV NOV to EDPRP/Settlement Offer y y X (mark with x)		Subtotal 5	\$0
Approx		Enhancement* d at the Total EB \$ Amount	Subtotal 6	\$0
SUM OF SUBTOTAL	\$1-7		Final Subtotal	\$9,577
	AS JUSTICE MAY REQUIRE Subtotal by the indicated percentage. Enhancement recommended for reco	3% very of avoided costs of	Adjustment	\$300
	compliance.	Final Pe	nalty Amount	\$9,877
STATUTORY LIMIT	ADJUSTMENT	Final Ass	essed Penalty	\$9,877
DEFERRAL Reduces the Final Assessed Pe	enally by the indicted percentage. (Enter number only; e.	20% Reduction g. 20 for 20% reduction.)	Adjustment	-\$1,975
Notes	Deferral offered for expedite	ed settlement.		Am occ
PAYARI F PENALT	Υ			\$7,902

Screening Date 26-Sep-2007

Docket No. 2007-1456-PWS-E

PCW

Policy Revision 2 (September 2002) PCW Revision September 19, 2007

Respondent City of Mart Case ID No. 34591

Reg. Ent. Reference No. RN101388544 Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Compliance History Worksheet

	y Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%
	Other written NOVs	1 .3	2%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denia of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final cour judgments or consent decrees without a denial of liability, of this state or the federa government		0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	. 0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
Mudilə	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	Ple:	ase Enter Yes or No	
	Environmental management systems in place for one year or more	- No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No No	0%
			00/

No 0% Early compliance with, or offer of a product that meets future state or federal government No 0%

Adjustment Percentage (Subtotal 2)

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3)

0%

>> Compliance History Person Classification (Subtotal 7)

environmental requirements

Participation in a voluntary pollution reduction program

Average Performer

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

History Notes

Compliance The penalty enhancement is due to three prior Notices of Violation ("NOV") containing violations that are the same as or similar to the violations in the current enforcement actions, one prior dissimilar NOV, and two prior enforcement orders containing denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Date	26-Sep-2007	Docket	. No. 2007-1456-PWS-E	PCW
Responden				Policy Revision 2 (September 2002)
Case ID No	50			PCW Revision September 19, 2007
Reg. Ent. Reference No				and the second s
\$\$\$U.70	Public Water Supply			200
Enf. Coordinator	The state of the s			***************************************
Violation Number	r			
Rule Cite(s	30 Tex. Admin. Code § 2	90.110(b)(4) and Tex	. Health & Safety Code § 34	1.0315(c)
Violation Description	throughout the distrib	oution system at all tim residual field test cor	t least 0.2 milligrams per lite nes. Specifically, at the time nducted on July 10, 2007 at re revealed a chlorine residu mg/L.	of the 714 East
			Ва	ase Penalty \$1,000
>> Environmental, Property	and Human Health Ma	triv		
22 Environmental, 1 Toperty	Harm	u i z		*
Release	7	Minor		The state of the s
OR Actua			B (0.50/	
Potentia	X		Percent 25%	1
>>Programmatic Matrix				an constant
Falsification	Major Moderate	Minor		·
T dismodifier	Major Mederate		Percent 0%	
				STATE OF THE STATE
Matrix Notes If the water could be 6	exposed to significant amour	oroper levels of disinfents of contaminants wheeltive of human heal	ection, customers of the wat hich would not exceed levels th.	er supply s that are
			Adjustment	\$750
			•	-
organization				\$250
Violation Events				
	– . [ı		
Number of V	iolation Events 1] [[]	Number of violation d	ays
	daily	1		***************************************
-	monthly	j		
mark only one	quarterly		Violation Ba	ase Penalty \$250
with an x	semiannual			
	annual	1		
-	single event x			r
	One sir	ngle event is recomme	ended.	
Economic Benefit (EB) for the	nis violation		Statutory Limit T	est
Estimate	ed EB Amount	\$0	Violation Final Pe	enalty Total \$405
Latiniate	***************************************			
	-	This violation Final A	Assessed Penalty (adjusted	d for limits) \$405

Violation No.	Public Water S	upply				Percent Interest	Years of Depreciation
Violationivo	1					5.0	. 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					injugar da i	
Delayed Costs		•					
Equipment				0,0	\$0	\$0	\$0
Bulldings				0,0	\$0	\$0	\$0
Other (as needed)	\$50	10-Jul-2007	11-Jul-2007	0.0	\$0	\$0	\$0
Engineering/construction				0,0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling		3380		0,0	\$0	n/a	\$0
Remediation/Disposal				0,0	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs Other (as needed)				0,0	\$0 \$0	n/a	φυ \$0
Notes for DELAYED costs	The delayed d	ost includes the es	of the investigation			chlorinator, calculate e.	u nom the date
Avoided Costs	ANI	NUALIZE [1] avoid	ed costs before e	ntering	item (except for	one-time avoided o	osts)
Disposal				0,0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0,0	\$0	\$0	\$0
				0,0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]		-III CLASS CONTROL STATE (1997)	No. 10 Co. Section 1997	0.0	\$0	\$0 \$0	\$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]			2.9 Commission and a second				
Financial Assurance [2]				0.0	\$0	\$0	φυ

Screening D)ate 26-Sep-2007	Doc	ket No. 2007-1456-PWS-E	PCW
Respond	lent City of Mart			Policy Revision 2 (September 2002)
	No. 34591			PCW Revision September 19, 2007
Reg. Ent. Reference	S0 20 20 1			
	u te] Public Water Supply			
Biological Company (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985) (1985)	ator Epifanio Villarreal			
Violation Nur				
Rule Ci	(6(5))	30 Tex. Admin. Cod	de § 290.41(e)(5)	
Violation Descrip	Specifically, at the time	ne of the investigation,	to protect the Facility's raw water it was noted that the building that the fence around the building only en to the lake side.	houses
			Bas	e Penalty \$1,000
>> Environmental, Prope	rty and Human Health I	Matrix		
	Harm			
	ease Major Modera ctual	te Minor		
	ential X		Percent 25%	
1000),,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		1 01 0111	
>>Programmatic Matrix				
Falsifica	ation Major Modera	te Minor		
			Percent 0%	
Matrix the pur	mps which may compromise	the system's ability to إ	may allow persons to enter and orrovide a safe and adequate wate which would not exceed levels the ealth.	er supply
			Adjustment	\$750
			•	\$0.50
				\$250
Violation Events				
Number	of Violation Events 1		41 Number of violation day	us.
Number	or violation Events	S00000	ramber of violation da	, •
	daily			
mark only with ar	semiannual		Violation Bas	e Penalty \$250
	annual single event			
One qua		I from the date of the in creening, September 2	ovestigation August 16, 2007, to t 5, 2007.	he date of
Economic Benefit (EB) fo	or this violation		Statutory Limit Te	st
Fefir	nated EB Amount	\$7	Violation Final Pen	alty Total \$405
		This violation Fin	al Assessed Penalty (adjusted	for limits) \$405

Violation No						Percent Interest	Years of Depreciation
A CONTRACTOR OF THE PROPERTY O						5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Descriptio	n No commas or \$					p. Carrier	
Delayed Cost	S						
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)	\$500	16-Aug-2007	26-Oct-2007	0.2	\$0	\$6	\$7
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs Other (as needed)				0.0	\$0 \$0	n/a n/a	\$0 \$0
	151119110000000000000000000000000000000	\$46466666666666666666666666666666666666					
Notes for DELAYED costs	The delayed repair the fend	cost includes the a se around the buildi	ng to render it intr	uder-res	istant, calculated	ouses the raw water from the date of the	pumps and to investigation to
	repair the fend	ce around the bulldi	ng to render it intr the da	uder-res te of com	istant, calculated npliance.	from the date of the	investigation to
Avoided Cost	repair the fend	ce around the bulldi	ng to render it intr the da	uder-res te of con entering	istant, calculated npliance. item (except for	from the date of the one-time avoided c	investigation to osts)
Avoided Cost Disposal	repair the fend	ce around the bulldi	ng to render it intr the da	uder-res te of com entering 0.0	istant, calculated npliance. item (except for \$0	from the date of the	investigation to osts) \$0
Avoided Cost Disposal Personnel	repair the fend	ce around the bulldi	ng to render it intr the da	te of comentering	istant, calculated opliance. item (except for \$0 \$0	from the date of the one-time avoided c \$0 \$0	osts) \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling	repair the fend	ce around the bulldi	ng to render it intr the da	uder-res te of con entering 0.0 0.0	istant, calculated opliance. item (except for \$0 \$0 \$0	one-time avoided c	osts) \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	repair the fen	ce around the bulldi	ng to render it intr the da	uder-res te of com entering 0.0 0.0 0.0 0.0	istant, calculated appliance. item (except for \$0 \$0 \$0 \$0 \$0	from the date of the	osts) \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	repair the fen	ce around the bulldi	ng to render it intr the da	uder-res te of com entering 0.0 0.0 0.0 0.0 0.0	istant, calculated appliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	from the date of the control one-time avoided cone-time avoided control one-time so	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	repair the fen	ce around the bulldi	ng to render it intr the da	uder-res te of com entering 0.0 0.0 0.0 0.0	istant, calculated appliance. item (except for \$0 \$0 \$0 \$0 \$0	from the date of the	osts) \$0 \$0 \$0 \$0 \$0
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	repair the fen	ce around the bulldi	ng to render it intr the da	uder-res te of com entering 0,0 0,0 0,0 0,0 0,0 0,0 0,0 0,0	istant, calculated appliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	from the date of the	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date:	26-Sep-2007	Docket	No. 2007-1456-PWS-E	PCW
Respondent	City of Mart			Policy Revision 2 (September 2002)
Case ID No.				PCW Revision September 19, 2007
Reg. Ent. Reference No.				
Media [Statute]				accommen
Enf. Coordinator				
Violation Number	3			
Rule Cite(s)		30 Tex. Admin. Code	§ 290.43(e)	
Violation Description	storage tanks. Specificat the Lumpkin and Hav	ally, at the time of the inve vkins elevated tanks had	otect the Facility's elevated and estigation, it was noted that the extensive damage from tree lir torage tank's fence was not 6 f	fences nbs and
			Base	Penalty \$1,000
>> Environmental, Property a	nd Human Health M	latrix		
	Harm			
Release	Major Moderate	e Minor		
OR Actual			Percent 25%	***************************************
Potential	X		. ZJ/0]	***************************************
>>Programmatic Matrix				***************************************
Falsification	Major Moderate	e <u>Minor</u>		
			Percent 0%	
(F				
Matrix and vandali	ze the storage tanks whi vater supply exposing cu	ch may compromise the	age tanks may allow persons t system's ability to provide a sa imount of pollutants which wou uman health.	fe and
			A 15	\$750
			Adjustment	\$750
				\$250
Violation Events				,
Number of Viol	lation Events 3	41	Number of violation days	5
	daily			
	monthly		Mi-I-Han Dage	Penalty \$750
mark only one with an x	quarterly x semiannual	#### ####	Violation Base	Penalty \$750
	annual			
	single event			
***************************************	<u> </u>			
Three qu	uarterly events are recon evestigation, August 16, 2	nmended (one event for e 2007, to the date of scree	each location) from the date of ening, September 26, 2007.	the
Economic Benefit (EB) for thi	s violation		Statutory Limit Tes	t english
Fetimated	I EB Amount	\$140	Violation Final Pena	Ity Total \$1,214
Loumateu	. == /anvant			
		This violation Final A	Assessed Penalty (adjusted fo	or limits) \$1,214

Reg. Ent. Reference No.	. 34591 . RN101388544					A STATE OF S	
0	Public Water S	upply				Percent Interest	Years of Depreciation
	Company of the Compan		Market Street Co.		100	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	I No commas or \$						
Delayed Costs	j						
Equipment				0.0	\$0	\$0	\$0
Bulldings	1.00			0,0	\$0	\$0	\$0
Other (as needed)	\$1,500	16-Aug-2007	26-Oct-2007	0.2	\$1	\$19′	\$20
Engineering/construction				0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)		16-Aug-2007	1-Jun-2008	0.8	\$119	n/a n/a around the Hawkins	\$119
	alevated store	ne tanks, calculate	d from the date of	the inve	stigation to the da	te of compliance. Th	as deleved seet
Notes for DELAYED costs	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the	und the Highway e estimated date	164 ground storage of compliance.	tank, calculated
Avoided Costs	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering	und the Highway e estimated date of Item (except for	164 ground storage of compliance. one-time avoided o	tank, calculated
Avoided Costs Disposal	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering	und the Highway e estimated date of item (except for \$0	164 ground storage of compliance, one-time avoided c	tank, calculated
AVoided Gosts Disposal Personnel	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0	und the Highway e estimated date of item (except for \$0 \$0	164 ground storage of compliance. one-time avoided o \$0 \$0	tank, calculated
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0 0.0	und the Highway e estimated date of item (except for \$0 \$0 \$0	164 ground storage of compliance. one-time avoided of \$0 \$0 \$0 \$0	tank, calculated
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0 0.0 0.0	und the Highway e estimated date of item (except for \$0 \$0 \$0	164 ground storage of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	tank, calculated
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/equipment Financial Assurance [2]	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	und the Highway e estimated date of item (except for \$0 \$0 \$0 \$0 \$0	164 ground storage of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	tank, calculated
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	und the Highway e estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0	164 ground storage of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	tank, calculated (sosts) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/equipment Financial Assurance [2]	Includes the ar	nount to repair the i from the dat	ntruder-resistant f e of the investigat	ence aro ion to the ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	und the Highway e estimated date of item (except for \$0 \$0 \$0 \$0 \$0	164 ground storage of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	tank, calculated

State of the State

Screening Date	26-Sep-2007	Docket No. 2	2007-1456-PWS-E	PCW
Respondent			Po	ilicy Revision 2 (September 2002)
Case ID No.			Po	CW Revision September 19, 2007
Reg. Ent. Reference No.				
## 14.11 (1.11)	Public Water Supply			
Enf. Coordinator	r			
Violation Number	<u> </u>			
Rule Cite(s)		30 Tex. Admin. Code § 290.4	-6(m)	
Violation Description	condition and general a at the time of the inves	enance and housekeeping practi appearance of the system's facilit stigation, it was noted that the fer es, and small trees growing throug	ies and equipment. Specific nce at the standpipe has bru	ally,
			Base Per	nalty \$1,000
>> Environmental, Property a	and Human Health I	Vlatrix		
	Harm	***************************************		
Release		te Minor	*	
OR Actual Potential		T X	Percent 10%	
>>Programmatic Matrix				
Falsification	Major Modera	te Minor		
Websel Control		F F	Percent 0%	
Matrix Notes Failure to ma being exp	oosed to insignificant am	nd the water supply could result in ounts of contaminants which wou protective of human health.	n customers of the water su lid not exceed levels that are	oply s
		Ad	ljustment S	8900
				\$100
·				
Violation Events		383333		
Constitution of the Consti				
Number of Vi	olation Events 1		Number of violation days	
usa anarana	daily			
	monthly			
mark only one	quarterly		Violation Base Per	nalty \$100
with an x	semiannual			
	annual			
	single event x			
000000000000000000000000000000000000000				
	One	e single event is recommended.		
L				
Economic Benefit (EB) for th	is violation		Statutory Limit Test	
Fetimate	d EB Amount	\$3	Violation Final Penalty	Total \$162
				\$
		This violation Final Assess	ed Penalty (adjusted for lir	nits) \$162

	Е	conomic I	3enefit W	orks	sheet		
Respondent	City of Mart			2290200 School	141,200	C. Maria N. C.	}
Case ID No.							
Reg. Ent. Reference No.	RN101388544					war and the second seco	
	Public Water S	upply				Percent Interest	Years of
Violation No.	4				· · · · · · · · · · · · · · · · · · ·	r elcent linerest	Depreciation
						5,0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		Dute Required	, mai Date	110	interest series	0.101.110 0000	
item bescription	No commas or a						
Delayed Coate							
Delayed Costs Equipment		li l		0,0	\$0	S0 I	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$200	16-Aug-2007	26-Oct-2007	0.2	\$0	\$3	\$3
Engineering/construction	7.00	197,193,1931		0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs		fence, calculate	d from the date of	the inve	estigation to the da	keeping practices a ate of compliance. lissan/	
Avoided Costs	ANN	NUALIZE [1] avoide	ed costs before e	ntering	item (except for	one-time avoided o	osts)
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]				0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)		السبيسال		0.0	\$0	\$0	\$0
Notes for AVOIDED costs							24

Screening Date	26-Sep-2007	Docke	et No. 2007-1456-PWS-E	PCW
Respondent	City of Mart			Policy Revision 2 (September 2002)
Case ID No.	34591			PCW Revision September 19, 2007
Reg. Ent. Reference No.	RN101388544	•		
	Public Water Supply			7777
Enf. Coordinator	 			***************************************
Violation Number				
Rule Cite(s)	30 Tex.	. Admin. Code §§ 290.46	6(m)(4) and 290:43(c)(6)	
Violation Description	distribution system Specifically, at the time below ground storage	n lines and related appure of the investigation, the tank's overflow, a valve	e and pressure maintenance far rtenances in a watertight condit ere were leaks observed at the at the Highway 164 site, a valv k in the bolted steel ground sto- lity.	ion. Facility's e on the
			Bas	e Penalty \$1,000
>> Environmental, Property a	nd Human Health N	Matrix		***************************************
	Harm			
Release OR Actual	Major Moderate	e Minor		
Potential	X	Signature of the second	Percent 25%	
>>Programmatic Matrix				
Falsification	Major Moderat	e Minor		
			Percent 0%	-
Matrix Notes Failure to contaminan	maintain the water syste its to enter the water sys	m in a watertight condition tem which would not exc	on could allow a significant amo ceed levels protective of human	ount of health.
			Adjustment	\$750
			Aujustincht	
				\$250
Violation Events				
Number of Vio	olation Events 4		Number of violation day	/S
1	daily			
	monthly			
mark only one	quarterly x		Violation Bas	e Penalty \$1,000
with an x	semiannual			
	annual			
	single event	<u></u>		
Four quarter	ly events are recommen	ded (one event for each o the date of screening,	leak) from the date of the inves	stigation,
	riugust 10, 2007, t	o the dute of selecting,	Coptonical Cot 2001.	
Economic Benefit (EB) for thi	is violation	riddin Ball Sc	Statutory Limit Te	st
Fstimated	d EB Amount	\$27	Violation Final Pen	alty Total \$1,619
23				
		This violation Final	Assessed Penalty (adjusted t	for limits) \$1,619

	E	conomic E	3enefit W	'orks	heet	**************************************	
Respondent	City of Mart	**************************************		CONTRACTOR NOW HAVE	***************************************		
Case ID No.						Company Authority	
Reg. Ent. Reference No.					1		
	Public Water S	supply				Percent Interest	Years of
Violation No.	5				. 4	200	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	* EB Amount
Item Description	No commas or \$					4.0	
- 4		25				No contraction	
Delayed Costs							
Equipment .				0,0	\$0	\$0	\$0
Bulldings	Paragraphic Control			0,0	\$0	\$0	\$0
Other (as needed)	\$500	16-Aug-2007	26-Oct-2007	0,2	\$0	\$6	\$7
Engineering/construction				0.0	\$0 22	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a - /-	\$0
Training/Sampling				0,0	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal				0.0	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs Other (as needed)	\$500	16-Aug-2007	4 lun 2000	0,0	\$20	n/a	\$20
Notes for DELAYED costs	calculated fro	ge tank's overflow, v im the date of the in eleak in the bolted s the date o	vestigation to the teel ground stora	date of c ge tank a	ompliance. The d	elayed cost includes ter Treatment Plant,	the amount to
A 19-1-04-		NUALIZE [1] avoide				* * * * * * * * * * * * * * * * * * * *	nete)
Avoided Costs	AINI	NOALIZE [1] avoide	u costs perore e	0.0	\$0	\$0	\$0
Disposal Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,000		***************************************	TÖTAL		\$27

Screening Date 26-Sep-2007 Docket No. 2007-1456-PWS-E	PCW
	vision 2 (September 2002)
L Color-1700, 150 155, 150 150 150 150 150 150 150 150 150 150	rision September 19, 2007
Reg. Ent. Reference No. RN101388544	
Media [Statute] Public Water Supply	
Enf. Coordinator Epifanio Villarreal Violation Number 6	
Pulo Cito(s)	
30 Tex. Admin. Code § 290.42(f)(1)(D)	
Violation Description Failed to store dry chemicals off the floor in a dry room that is located above the ground and protected against flooding or wetting from floors, walls, and ceilings. Specifically, at the time of the investigation, it was noted that the supply of calcium hypochlorite was stored on the floor.	
Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix	
Harm ·	
Release Major Moderate Minor OR Actual	
Potential X Percent 25%	
>>Programmatic Matrix	
Falsification Major Moderate Minor	
Percent 0%	
Matrix Failure to store dry chemicals off the floor in a dry room could expose employees or operators to a	
Notes significant amount of pollutants which would not exceed levels that are protective of human health.	
Adjustment \$750	:
	POEO.
La company de la company d	\$250
Violation Events	
Number of Violation Events 1 Number of violation days	
daily	
monthly	
mark only one quarterly x Violation Base Penalty	\$250
with an x semiannual semiannual	
anhual	
single event	
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007.	
or soldering, September 20, 2007.	
Economic Benefit (EB) for this violation Statutory Limit Test	
Economic Deficit (LD) for this violation	
	\$405
Estimated EB Amount \$25 Violation Final Penalty Total This violation Final Assessed Penalty (adjusted for limits)	\$405 \$405

	Е	conomic E	Benefit W	orks	heet		
Respondent	City of Mart	TEXTOS DEL PRESENTATION DE	ATT			**************************************	**************************************
Case ID No.	34591				1.5		
Reg. Ent. Reference No.	RN101388544					-	
Media	Public Water S	upply				Percent Interest	Years of
Violation No.	6						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
estation in the second of the						XXXXXXXXXX	
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Bulldings				0,0	\$0	\$0	\$0
Other (as needed)	Silv			0,0	\$0	\$0	\$0
Engineering/construction	\$500	16-Aug-2007	1-May-2008	0,7	\$1	\$24	\$25
Land				0,0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0 80
Training/Sampling				0.0	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal		+		0.0	\$0	n/a	\$0 \$0
Permit Costs Other (as needed)				0.0	\$0	n/a	\$0 \$0
Notes for DELAYED costs	The delayed	d cost includes the a	imount to properly	etore th	e calcium hypoch	ilorite in a dry room t	hat is located
		e ground, calculated	from the date of t	he inves	tigation to the es	limated date of comp	oliance.
Avoided Costs				he inves	tigation to the es	timated date of comp	oliance,
Avoided Costs		e ground, calculated		he inves	Iligation to the es item (except for \$0	timated date of comp (1931); one-time avoided of \$0	ollance. costs) \$0
				ntering 0,0 0.0	itigation to the es item (except for \$0 \$0	timated date of company to the strain of the	osts) \$0 \$0
Disposal				ntering 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0	ilmated date of complete the complete that it is a confidence of the complete that it is a confidence of the complete that is a confidence of the confidence of th	osts) \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				ntering 0.0 0.0 0.0 0.0	itigation to the essitem (except for \$0 \$0 \$0 \$0	ilmated date of company one-time avoided of \$0 \$0 \$0 \$0	**************************************
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				ntering 0.0 0.0 0.0 0.0 0.0	itigation to the estimate (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	imated date of comparison one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	**************************************
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				ntering 0.0 0.0 0.0 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0 \$0 \$0 \$0	imated date of companies to the companies of the companie	sollance. sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				ntering 0.0 0.0 0.0 0.0 0.0	itigation to the estimate (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	imated date of comparison one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	**************************************
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				ntering 0.0 0.0 0.0 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0 \$0 \$0 \$0	imated date of companies to the companies of the companie	sollance. sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				ntering 0.0 0.0 0.0 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0 \$0 \$0 \$0	imated date of companies to the companies of the companie	sollance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)				ntering 0.0 0.0 0.0 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0 \$0 \$0 \$0	imated date of companies to the companies of the companie	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)				ntering 0.0 0.0 0.0 0.0 0.0 0.0	itigation to the es item (except for \$0 \$0 \$0 \$0 \$0 \$0	imated date of companies to be a companies to be	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Respondent City of Mart Case ID No. 3499 Reg. Ent. Reference No. RN101388544 Media [Statuto] Ent. Coordinator Epidanio Villareal Violation Number Rulo Cito(s) Ru	Screening Dat	e 26-Sep-2007	Docket N	lo. 2007-1456-PWS-E	PCW
Reg. Ent. Reference No. RNI 01388544 Media [Statute] Public Water Supply Ent. Coordinator Eplana Villareal Violation Number Rulo Cite(s) Failed to provide vacuum breakers on each hose bibb within the Facility. Specifically, at the time of the investigation, it was noted that there is no vacuum breaker on the bibb near the clarifler. Base Penalty S1.000 S-> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential Notes Programmatic Matrix Failification Major Moderate Minor Percent Palsification Major Moderate Minor Percent S7F0 Matrix Failification Major Moderate Minor Percent Adjustment \$750 Violation Events One quarterly event is recommended from the date of the lovestigation, August 16, 2007, to the date of screening, September 28, 2007. Economic Benefit (EB) for this violation Estimated EB Amount S3 Violation Final Penalty Total \$400				Policy	/ Revision 2 (September 2002)
Media (Statute) Public Water Supply Enf. Coordinator Epidanio Villareal Violation Number Rule Cite(s) 30 Tex. Admin. Code \$ 290.42(d)(2)(A) Falled to provide vabuum breakers on each hose bibb within the Facility. Specifically, at the time of the investigation, it was noted that there is no vacuum breaker on the hose bibb near the clarifier. September 1, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential X Percent 25% >> Programmatic Matrix Fallure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 Violation Events One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 28, 2007. Economic Benefit (EB) for this violation Estimated EB Amount \$3 Violation Final Penalty Total \$405				PCW	Revision September 19, 2007
Section Sect					
Violation Number 7 30 Tex. Admin. Code \$ 290.42(d)(2)(A)					
Rule Cite(s) 30 Tex. Admin. Code § 250.42(d)(Zi(A))		· · · · · · · · · · · · · · · · · · ·			
Violation Description Falled to provide vacuum breakers on each hose bibb within the Facility. Specifically, at the time of the investigation, it was noted that there is no vacuum breaker on the hose bibb near the clarifier. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Release Major Moderate Minor Actual Potential X Percent 25% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Falsification Major Moderate Minor Percent 0% Adjustment \$750 Violation Events One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 28, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$33 Violation Final Penalty Total \$405		L			
Violation Description The time of the Investigation, it was noted that there is no vacuum breaker on the hose	Rule Cite(s	5)	30 Tex. Admin. Code § 29	0.42(d)(2)(A)	
>> Environmental, Property and Human Health Matrix Release Major Moderate Minor Actual Potential X Percent 25% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment 5750 Violation Events I 41 Number of violation days daily monthly quarterly x semiannual single event One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Estimated EB Amount 53 Violation Final Penalty Total 5405	Violation Descriptio	Failed to provide vacu	gation, it was noted that ther	e is no vacuum breaker on the hose	at e
OR Release Major Moderate Minor Actual Potential X Percent 25% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 Violation Events 1 41 Number of violation days daily monthly quarterly x semiannual annual single event One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Estimated EB Amount 53 Violation Final Penalty Total \$405				Base Penal	ty \$1,000
OR Release Major Moderate Minor Actual Potential X Percent 25% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. **Adjustment** **Adjustment** **Adjustment** **T50* Violation Events 1	>> Environmental, Property	and Human Health	Matrix		
Percent 25%					
>>Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 Violation Events 1 41 Number of violation days daily monthly a semiannual annual single event Single event Cone quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 28, 2007. Economic Benefit (EB) for this violation Estimated EB Amount \$3 Violation Final Penalty Total \$405			ate Minor		
Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 \$250 Violation Events 1				Percent 25%	
Falsification Major Moderate Minor Percent 0% Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 \$250 Violation Events 1	>>Programmatic Matrix				
Matrix Notes Failure to provide a vacuum breaker on each hose bibb, could allow the water supply to be exposed to pollutants which would not exceed levels that are protective of human health. Adjustment \$750 \$250 Violation Events 1		n Major Modera	nte Minor	·	
Notes pollutants which would not exceed levels that are protective of human health. Adjustment \$750 \$250 Violation Events 1 41 Number of violation days daily monthly quarterly x semiannual annual single event \$250 One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation \$500 Statutory Limit Test Estimated EB Amount \$300 Violation Final Penalty Total \$405				Percent 0%	
Notes pollutants which would not exceed levels that are protective of human health. Adjustment \$750 \$250 Violation Events 1 41 Number of violation days daily monthly quarterly x semiannual annual single event \$250 One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation \$500 Statutory Limit Test Estimated EB Amount \$300 Violation Final Penalty Total \$405					
Violation Events 1		rovide a vacuum breaker pollutants which would n	on each hose bibb, could all not exceed levels that are pro	low the water supply to be exposed be obtained.	to
Violation Events 1					
Violation Events 1				Adjustment \$75	50
1					\$250
1					
daily monthly quarterly semiannual annual single event S250	Violation Events				
daily monthly quarterly semiannual annual single event S250		1		Number of violation days	
monthly quarterly semiannual annual single event One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405		<u> </u>			
Mark only one with an x One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405		daily			
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405		monthly			00.50
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405	1			Violation Base Penal	ty \$250
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405	With an x	The state of the s			
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the date of screening, September 26, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405					
Economic Benefit (EB) for this violation Estimated EB Amount \$3 Violation Final Penalty Total \$405		onigic cvent			
Economic Benefit (EB) for this violation Estimated EB Amount \$3 Violation Final Penalty Total \$405	Opposition	orly ovent is recommende	nd from the date of the invest	tigation August 16 2007 to the dat	a
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$3 Violation Final Penalty Total \$405	One quart				
Estimated EB Amount \$3 Violation Final Penalty Total \$405					
Louindou ED Amount	Economic Benefit (EB) for t	his violation		Statutory Limit Test	
Louindou ED Amount	Entimat	od ER Amount	<u>\$2</u>	Violation Final Penalty Tot	sal \$405
This violation Final Assessed Penalty (adjusted for limits) \$405	Estilla	ed ED VIIIodiir	ΨΟΙ	riolation i mai i onally 100	
			This violation Final As	sessed Penalty (adjusted for limit	(s) \$405

	::	conomic I	3enefit W	orks	heet		
Respondent	City of Mart	A	#c\$4000000000000000000000000000000000000		*:		
Case ID No.						ta de la companya de	
Reg. Ent. Reference No.	RN101388544						1
	Public Water S	Supply			1.	Percent Interest	Years of
Violation No.	7		***************************************	**************			Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
A STATE OF THE STA					÷		MARKET MARKET AND ART OF THE PARTY OF THE PA
Delayed Costs							
Equipment	\$200	16-Aug-2007	26-Oct-2007	0.2	\$0	\$3	\$3
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0.	\$0	\$0
Engineering/construction		100		0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a n/a	\$0
Remediation/Disposal				0.0	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs	March State Control of the Control o				access to the same of the contract of the cont		
Other (as needed)				0,0	\$0	n/a	\$0
Other (as needed)	The delayed o	get includes the am	ount to provide a	0,0	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs	The delayed c	ost includes the am from th	ount to provide a e date of the inve	0,0 vacuum	\$0 breaker on the ho	n/a se bibb near the cla npliánce: 187	\$0
Notes for DELAYED costs		from th	e date of the inve	0,0 vacuum stigation	\$0 breaker on the ho to the date of cor	n/a se bibb near the cla npliance: ls A	\$0
Notes for DELAYED costs Avoided Costs		from th	e date of the inve	0,0 vacuum stigation	\$0 breaker on the ho to the date of cor item (except for	n/a se bibb near the cla npliance. 147 item A one-time avoided c	\$0
Notes for DELAYED costs Avoided Costs Disposal		from th	e date of the inve	vacuum stigation ntering	\$0 breaker on the ho to the date of cor item (except for \$0	n/a se bibb near the cla npliánce: 10 71 dans A one-time avoided c	sosts)
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel		from th	e date of the inve	0,0 vacuum stigation	\$0 breaker on the ho to the date of cor item (except for	n/a se bibb near the cla npliance. 147 item A one-time avoided c	\$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling		from th	e date of the inve	vacuum stigation ntering	\$0 breaker on the ho to the date of cor item (except for \$0 \$0	se bibb near the cla npliance: 14371 one-time avoided c \$0 \$0	sotts)
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel		from th	e date of the inve	vacuum stigation ntering 0.0 0.0 0.0 0.0	\$0 breaker on the ho to the date of cor item (except for \$0 \$0 \$0	n/a se bibb near the cla npliance: la 2/4 cone-time avoided c \$0 \$0 \$0	\$0
Notes for DELAYED costs AVoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		from th	e date of the inve	vacuum stigation ntering 0.0 0.0 0.0 0.0 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 rifier, calculated sosts) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		from th	e date of the inve	vacuum stigation ntering 0.0 0.0 0.0 0.0	\$0 breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 197 title A one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0	\$0 rifier, calculated sosts) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 rifier, calculated sosts) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ####################################
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ####################################
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ####################################
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ####################################
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		from th	e date of the inve	0.0 vacuum stigation 0.0	breaker on the ho to the date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a se bibb near the cla npliance: 157 stance one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ####################################

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182 - 183 - 188 -

Screening Date		Docket I	No. 2007-1456-PWS-E	PCW
Respondent Case ID No.				Policy Revision 2 (September 2002) PCW Revision September 19, 2007
Reg. Ent. Reference No.				· · · · · · · · · · · · · · · · · · ·
Media [Statute]	Public Water Supply			
Enf. Coordinator				
Violation Number Rule Cite(s)				
Kule Cite(s)		30 Tex. Admin. Code §	§ 290.46(t)	
Violation Description	telephone numbers v	vhere a responsible official o	ne of the water supply and emo can be contacted. Specifically, as no ownership sign posted a te.	at the
			Base	Penalty \$1,000
>> Environmental, Property a				
Release	Harm Major Modera			
OR Actual				
Potential			Percent 0%	
>>Programmatic Matrix				
Falsification	Major Modera	ate Minor		
	X		Percent 25%	
[03:00:00:00:00:00:00:00:00:00:00:00:00:0				
Matrix Notes	100% (of the rule requirement was i	not met.	
			Adjustment	\$750
-				\$250
Violation Events				
·		41	Number of violation days	
mark only one with an x	daily monthly quarterly semiannual annual single event x		Violation Base	Penalty \$250
				`
	On	e single event is recommen	ded.	
Economic Benefit (EB) for th	is violation		Statutory Limit Tes	t 142 (Barrier III)
Estimated	d EB Amount	\$1	Violation Final Pena	Ity Total \$405
		This violation Final As	ssessed Penalty (adjusted fo	or limits) \$405
			, , , , , , , , , , , , , , , , , , , ,	/\

	E	conomic l	Benefit W	orks	heet		
Respondent Case ID No. Reg. Ent. Reference No.	34591						
	Public Water S	upply			1 00 1 474	Percent Interest	Years of Depreciation
						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
nom peconpeco.	NO COMMISSION Ψ		-				
Delayed Costs				,			
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0 \$0	\$0 \$1	., \$0 ***\$1
Other (as needed)	\$100	16-Aug-2007	26-Oct-2007	0.2	\$0 \$0	\$1 \$0	\$1 \$0
Engineering/construction Land				0.0	\$0	n/a	\$0 \$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	71.54.75.00.00.00.00.00.00			0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs			of the investigatio	n to the	date of complianc	ИзизА	
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e			one-time avoided o	
Disposal				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Personnel Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0 \$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							113.00 113.01
Approx. Cost of Compliance		\$100			TOTAL		\$1

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Screening Date	26-Sep-2007	Docket	: No. 2007-1456-PWS-E	PCW
Respondent	-			Policy Revision 2 (September 2002)
Case ID No.				PCW Revision September 19, 2007
Reg. Ent. Reference No.				
Media [Statute]				
Enf. Coordinator Violation Number	9			
Rule Cite(s)	9 1		2.002.40(.)	
		30 Tex. Admin. Code	§ 290.43(c)	
Violation Description	American Water Works point on the roof and the	s Association ("AWWA") s ne roof has a slope of less	ound storage tank in accordance tandards so that no water ponds than 0.75 inches per foot. Specihe clearwell's roof did not have a	at any fically,
			Base P	enalty \$1,000
>> Environmental, Property a	nd Human Health I	Matrix		***************************************
Delega	Harm Madara			
Release OR Actual	Major Modera	te Minor		
Potential	x		Percent 25%	
				
>>Programmatic Matrix	M.: Madaaa	ta Minan		
Falsification	Major Modera	te Minor	Percent 0%	
<u> </u>				
Matrix sanitary nature	e of the drinking water o	could be compromised, ex	action of the ground storage tank, posing customers of the water su not protective of human health. Adjustment	the pply to
				\$250
Violation Events				
Number of Vio	lation Events 1	41	Number of violation days	
mark only one with an x	daily monthly quarterly x semiannual annual single event		Violation Base P	enalty \$250
One quarterly		d from the date of the inve screening, September 26,	estigation, August 16, 2007, to the 2007.	e date
Economic Benefit (EB) for thi	is violation		Statutory Limit Test	
Estimated	I EB Amount	\$395	Violation Final Penalty	/ Total \$405
				L::4_\\
		This violation Final A	Assessed Penalty (adjusted for	limits) \$405

		conomic E	3enetit W	orks/	heet		
Respondent 0	•			0.00 x 10.000 na. 00.000 na. 00 ta 0.00		t in the second	
Case ID No. 3						1	
Reg. Ent. Reference No. F					W. 817 (4)	y	
	Public Water S	upply			and the second	Percent Interest	Years of
Violation No. 9)						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
nem Pessilphon	INO COMPINE OF W						7. 20 5 5 5 5 10 10 20 5 60 32 80 30 00
Delayed Costs_							
Equipment '				0.0	\$0	\$0	\$0.
Buildings	<u> </u>			0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$5,000	16-Aug-2007	1-Oct-2008	1.1	\$19	\$376	\$395
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal	10.700.00			0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
li i				0.0000000000000000000000000000000000000		granica accomplished was a construction of the	
Notes for DELAYED costs		calculated from th	e date of the inve	stigation	to the estimated	uch that it meets AV date of compliance.	
Notes for DELAYED costs Avoided Costs		calculated from th	e date of the inve	estigation	to the estimated item (except for	date of compliance.	osts)
Notes for DELAYED costs Avoided Costs Disposal		calculated from th	e date of the inve	estigation entering	to the estimated of the term (except for \$0	date of compliance. one-time avoided o	osts) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel		calculated from th	e date of the inve	entering 0.0 0.0	item (except for \$0 \$0	one-time avoided o	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		calculated from th	e date of the inve	entering 0.0 0.0 0.0	item (except for \$0 \$0 \$0	date of compliance. one-time avoided of \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0	date of compliance. one-time avoided of \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of compliance. one-time avoided compliance. \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of compliance. one-time avoided compliance. \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from th	e date of the inve	entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

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Screening Date	26-Sep-2007	Docket	No. 2007-1456-PWS-E	PCW
Respondent	City of Mart		Policy	Revision 2 (September 2002)
Case ID No.			PCW	Revision September 19, 2007
Reg. Ent. Reference No.	RN101388544			
	Public Water Supply			
Enf. Coordinator				
Violation Number	10			
Rule Cite(s)		30 Tex. Admin. Code § 29	0.42(f)(1)(E)(ii)	
Violation Description	Specifically, at the time		for all liquid chemical storage tanks. as noted that four liquid ammonium condary containment.	
			Base Penal	ty \$1,000
>> Environmental, Property a	nd Human Health N	latrix		***************************************
	Harm			
Release Actual	Major Moderate	e Minor		
Potential	x		Percent 50%	000000000000000000000000000000000000000
L			•	000000000000000000000000000000000000000
>>Programmatic Matrix	Majar Madarat	o Minor		
Falsification	Major Moderate	e Minor	Percent 0%	***************************************
			- 0.000.1	
	the environment to a sig			
			Adjustment \$50	00
				\$500
Violation Events			Figure Santación de Santación	
Number of Vio	lation Events 2	41	Number of violation days	***************************************
_				
	daily	<u> </u>		
mark only one	monthly x quarterly		Violation Base Penal	ty \$1,000
with an x	semiannual annual single event			
Two monthly e		d from the date of the inve creening, September 26, 2	estigation, August 16, 2007, to the da 2007.	te
Economic Benefit (EB) for thi	s violation		Statutory Limit Test	
Estimated	I EB Amount	\$50	Violation Final Penalty Tot	al \$1,619
	-		-	
		inis violation Final As	ssessed Penalty (adjusted for limit	91,019

	E	conomic E	Benefit W	orks	heet		
Respondent	City of Mart				115.5		
Case ID No.							
Reg. Ent. Reference No.							esta e e e e e e e e e e e e e e e e e e e
	Public Water S	unnly			The state of the s	_	Years of
Violation No.		app.)			All a comments	Percent Interest	Depreciation
Violation	10					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
		Date Required	Fillal Date	113	iliterest baveu	Offetime dosts	LD Amount
Item Description	No commas or \$						
Delayed Costs				i 			**
Equipment				0.0	\$0	\$0	\$0 \$0
Bulldings		10.1 0000	4.14 0000	0,0	\$0	\$0	
Other (as needed)	\$1,000	16-Aug-2007	1-May-2008	0.7	\$2 \$0	\$47 \$0	\$50 \$0
Engineering/construction				0.0	\$0 \$0	n/a	\$0
Land Record Keeping System				0.0	\$0 \$0	n/a	\$0 \$0
Record Reeping System Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	sulfate	e drums, calculated	from the date of t	he inves	tigation to the esti	lities for the four liquimated date of comp	liance.
Avoided Costs	ANN	IUALIZE [1] avoide	d costs before e			one-time avoided c	
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0 \$0	\$0
Financial Assurance [2]	200 Company 200 Co			0.0	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0 \$0	\$0
Other (as needed)				<u> 0.0 </u>	φυ	ΨΟ	
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,000			TOTAL		\$50

Scree	ening Date	26-Sep-2007		Docket No. 20	07-1456-PWS-E		PCW
R	espondent	City of Mart				Policy Revision	2 (September 2002)
	ase ID No.					PCW Revision	September 19, 2007
Reg. Ent. Refe	erence No.	RN101388544					200000000
Medi	a [Statute]	Public Water Suppl	ly				***************************************
		Epifanio Villarreal					on the same of the
Viola	tion Number	11					
	Rule Cite(s)		30 Tex. Adı	min. Code § 290.43(c)(3)		
Violation	ı Description	current AWWA de the Hawkins stre open position. Ad	esign standards. S et elevated tank is ditionally, the hinge	pecifically, it was not not a hinged flap va ed flap valve on the l	anks in strict accorda ted that the overflow live type and was stu bolted ground storag ge ditch and was obs	valve on ick in an e tank at	
					Bas	se Penalty	\$1,000
>> Environmental, OR >>Programmatic N	Release Actual Potential	Major Mo	th Matrix arm derate Minor x derate Minor		ercent 25%		
Matrix Notes	Failure to ma contaminar	aintain overflows in a	accordance with Aler supply which wou	WWA standards cou	ld allow significant a s protective of humar ustment	mounts of n health.	\$250
Violation Events							nononumenonon
	Number of Vic	olation Events	2	41 Nu	umber of violation da	iys	***************************************
	mark only one with an x	daily monthly quarterly semiannual annual single event	X		Violation Bas	se Penalty	\$500
	Two quarter	ly events are recom August 16, 20	mended (one ever 007, to the date of	it for each tank) from screening, Septembe	n the date of the inve er 26, 2007	estigation,	-
Economic Benefit	(EB) for th	is violation	0.00000	S	tatutory Limit Te	est	
	Estimate	d EB Amount		\$33	Violation Final Per	naity Total	\$810
			This viola	tion Final Assessed	d Penalty (adjusted	for limits)	\$810

	E	conomic E	Benefit W	'orks	heet		
Respondent Case ID No.	34591				je i se		•
Reg, Ent, Reference No. Media Violation No.	Public Water Su	ipply				Percent Interest	Years of Depreciation
The second state of the second						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					7	
Delayed Costs	-						
Equipment				0.0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction	\$1,000	16-Aug-2007	26-Oct-2007	0.2	\$1	\$13	1 \$14
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	\$500	16-Aug-2007	1-Jun-2008	0.8	\$20	n/a	\$20
Notes for DELAYED costs	elevated stora The delayed	ge tank hinged flap cost includes the a	valve, calculated mount to repair the erged, calculated	from the	e date of the inves I flap valve on the date of the inves	p type valve on the tigation, to the date storage tank at the tigation, to the estin	of compliance. surface water
Ayolded Costs	ANN	UALIZE [1] avoide	d costs before e	entering	item (except for	one-time avoided o	osts)
Disposal				0,0	\$0	\$0	\$0
Personnel				0,0	\$ 0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]	100 Co. 100 Co			0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							LEBS CT.
Approx. Cost of Compliance		\$1,500			TOTAL		\$33

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Screening Date	26-Sep-2007	Docl	cet No. 2007-1456-PWS-E	PCW	•
Respondent	City of Mart			Policy Revision 2 (September 200)2)
Case ID No.				PCW Revision September 19, 20	07
Reg. Ent. Reference No.					monmon
Media [Statute]					wacdates
Enf. Coordinator		eal			tormenous a
Violation Number	L				opinetro conc
Rule Cite(s)		30 Tex. Admin. Code §	290.42(d)(11)(D)(i)		
Violation Description	flow indication	on or flow control valves with in	ustable rate-of-flow controller with dicators. Specifically, at the time the surface water treatment plant rate-of-flow controllers.	of the	***************************************
			Base	e Penalty \$1,00	00
>> Environmental, Property a	ınd Human H	ealth Matrix			ACATO PARTIES AND ACATO PARTIE
		Harm			ACOMPTONION OF
Release	Major	Moderate Minor			op companies
OR Actual Potential		x	Percent 25%		***************************************
>>Programmatic Matrix					
Falsification	Major	Moderate Minor	D		
			Percent 0%		-
	rate-of-flow indi-		measured during filter operation vant amount of pollutants which wo alth pass through the filters.	ould not	-
			Adjustment	\$750	***
				\$2	50
Violation Events					***************************************
Number of Vic	olation Events	2	41 Number of violation day	/S	
	daily monthly				
mark only one with an x	quarterly semiannual annual single event	X	Violation Base	e Penalty \$5	00
Two quarte	rly events are re	commended from the date of the date of screening, Septembe	ne investigation, August 16, 2007 er 26, 2007.	, to the	
Economic Benefit (EB) for th	is violation		Statutory Limit Tes	st ,	
Estimated	d EB Amount	\$83	Violation Final Pena	alty Total \$8	10
			al Assessed Penalty (adjusted f	or limits) \$8	10
		inis violation Fina	n Assessed Penaity (adjusted i	or mines) 40	٠٠

	E	conomic E	Benefit W	orks	heet		
Respondent	City of Mart		***************************************		00 () () () () () () () () () (
Case ID No.	34591				1:	1. Sec. 11.	
Reg, Ent. Reference No.							and the same of th
	Public Water S	upply				Percent Interest	Years of
Violation No.	12						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
The state of the s						20.000.000.000.000.000.000.000.000.000	Denomina o constitución de con
Delayed Costs				a			
Equipment	\$1,500	16-Aug-2007	1-Jun-2008	0,8	\$4	\$79	\$83
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/construction				0.0	\$0 \$0	n/a	\$0 \$0
Land Record Keeping System				0,0	\$0 \$0	n/a	\$0 \$0
Training/Sampling	BIOTOS CONTRACTOR			0.0	\$0 \$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs			And the same of th	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	The delay	ed cost includes the calculated from th				ljustable rate-of-flow date of compliance.	controller,
Avoided Costs	ANI	IUALIZE [1] avoide	d costs before e				
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	`\$ 0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0 #0	\$0 \$0	\$0 \$0
Financial Assurance [2]				0.0	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				<u> 0.0 </u>	ΨΟ	μυ μ	ΨΟ
1.36 (2.15)							
Notes for AVOIDED costs							400
Approx, Cost of Compliance	r	\$1,500			TOTAL		\$83

Screening Date	26-Sep-2007	Docke	et No. 2007-1456-PWS-E	PCW
Respondent				Policy Revision 2 (September 2002)
Case ID No.				PCW Revision September 19, 2007
Reg. Ent. Reference No.				
	Public Water Supply			***************************************
Enf. Coordinator				
Violation Number	13			
Rule Cite(s)		30 Tex. Admin. Code	§ 290.46(f)(2)	
Violation Description	investigation. Specif available for review verification of Ame ("ANSI/NSF") St ammonium sulfate	fically, at the time of the inv	ommission personnel at the time of estigation, the following records we ports for all system water storage institute/National Sanitation Found orine, calcium hypochlorite, and like programs, calibration records for mer service agreements.	vere not tanks, dation quid
•			Base	Penalty \$1,000
>> Environmental, Property a	ınd Human Healf	h Matrix		***************************************
	Ha	······································		
Release	Major Mode	erate Minor		
OR Actual			B	
Potential			Percent 0%	
>>Programmatic Matrix				
Falsification	Major Mode	erate Minor		
Tasmoaton	x I	THE MINOR	Percent 25%	
	(L		b	
Matrix Notes	1009	% of the rule requirement w	as not met.	
			Adjustment	<u>\$750</u>
				\$250
Violation Events				
Number of Vic	olation Events 1		Number of violation days	
,		The state of the s		
	daily			
mark only one	monthly quarterly		Violation Base	Penalty \$250
with an x	semiannual		Violation Baco	· Onatty
	annual			
	single event			
		WINDOWS		
	(One single event is recomm	nended.	
Economic Benefit (EB) for th	is violation		Statutory Limit Test	
Fetimator	d EB Amount	\$21	Violation Final Penal	tv Total \$405
Lomator				
		This violation Final	Assessed Penalty (adjusted fo	r limits) \$405

	Е	conomic E	3enefit W	orks	heet	T.	
Respondent	City of Mart	\$29000000000000000000000000000000000000	1124 / 22 / 24 / 24 / 24 / 24 / 24 / 24	AND LINE OF PROPERTY	f 10 to 5 to	stati di entre	
Case ID No.	34591					garage Area e	
Reg. Ent. Reference No.	RN101388544				11 4		
Media	Public Water S	upply				Percent Interest	Years of
Violation No.	13				A 1999	r ercent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
u 5 - 1.0		Date Required	i mai bate		moreot carea	••	
item Description	No commas or \$						200500
6 1 10 1							
Delayed Costs		11		0.0	\$0	\$0	\$0
Equipment Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0 \$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System	\$500	16-Aug-2007	26-Oct-2007	0.2	\$5	n/a	\$5
Training/Sampling	elektrolit olümbili ele			0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	\$500	16-Aug-2007	1-Apr-2008	0,6	\$16	n/a	\$16
Notes for DELAYED costs	and backfl compliance.	ow prevention asse The delayed cost ir in	mbly test reports, icludes the amou vestigation to the	calculate nt to mail estimate	ed from the date on tain system reco and date of complia		o the date of the date of the
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e	entering	item (except for	one-time avoided o	osts)
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							388 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3
Approx. Cost of Compliance		\$1,000			TOTAL		\$21

Screening Date 26-Sep-2007 Docket No. 2007-1456-PWS-E	PCW
Respondent City of Mart Pol	cy Revision 2 (September 2002)
	V Revision September 19, 2007
Reg. Ent. Reference No. RN101388544	
Media [Statute] Public Water Supply	
Enf. Coordinator Epifanio Villarreal	
Violation Number 14	
Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(K)	
Violation Description Violation Description Failed to seal the wellhead with a gasket or sealing compound to prevent the possible of contaminating the well water. Specifically, at the time of the investigation, it was noted that the concrete sealing block has large cracks and the wellhead is not sealed the sealing block.	
Base Pena	lty \$1,000
>> Environmental, Property and Human Health Matrix	/
Harm	
Release Major Moderate Minor	
OR Actual Potential X Percent 25%	
Potential X Percent 25%	
>>Programmatic Matrix	
Falsification Major Moderate Minor	ı
Percent 0%	
Matrix Notes Hailure to seal the wellhead with a gasket or sealing compound could allow contaminants into the washington supply and expose customers to a significant amount of contaminants which would not exceed leverage that are protective of human health.	
Adjustment \$	50
The control of the co	
	\$250
Violation Events	
Number of violetion days	
Number of Violation Events 1 Number of violation days	
daily	
monthly	
mark only one quarterly x Violation Base Pen	lty \$250
with an x semiannual	-
annual	
single event	
One quarterly event is recommended from the date of the investigation, August 16, 2007, to the dots of screening, September 26, 2007	ite
Economic Benefit (EB) for this violation Statutory Limit Test	
	tal \$405
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$1 Violation Final Penalty To	stal \$405

	E	conomic E	Benefit W	/orks	heet		
Respondent						e de la companya de l	
Case ID No.							
Reg. Ent. Reference No.					1.0		
	Public Water S	upply				Percent Interest	Years of
Violation No.	14						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
5 SS							
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)	\$50	16-Aug-2007	26-Oct-2007	0.2	\$0 \$0	\$1 \$0	*\$1 \$0
Engineering/construction				0.0	\$0 \$0	n/a	\$0
Land Record Keeping System			//	0.0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel		from th	e date of the inve	entering 0.0 0.0	to the date of cor item (except for \$0 \$0	one-time avoided c \$0 \$0	osts)
Inspection/Reporting/Sampling				0,0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0	\$0 \$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							-tuv
Approx. Cost of Compliance		\$50			TOTAL		\$1

Screening Date	26-Sep-2007	Doo	ket No. 2007-1456-PWS-E	PCW
Responden				Policy Revision 2 (September 2002)
Case ID No				PCW Revision September 19, 2007
Reg. Ent. Reference No				
Link in the control of the contro	Public Water Supply			
Enf. Goordinator Violation Number	(
Rule Cite(s	\ \		-2	
1	' 30 Tex. Admin. Co	ode § 290.46(e)(6)(B) and	d Tex. Health & Safety Code § 341.0	J33(a)
Violation Description	more than 1,000 co	nnections with a valid ap it was noted that the sys	perator for surface water systems the opticable license. Specifically, at the stem only has one licensed surface of taken the required surface water the water Unit II course.	time of vater
			Base	Penalty \$1,000
>> Environmental, Property	and Human Healt	h Matrix	Sant Submit Land	
Poloos	Ha Majar Mada			
OR Release		erate Minor		
Potentia			Percent 25%	
>>Programmatic Matrix				
Falsification	Major Mode	erate Minor		
			Percent 0%	
	upply could result in c		aging the facility, improper manager pply being exposed to contaminants active of human health. Adjustment	
				\$250
Violation Events				
Number of V	iolation Events		41 Number of violation days	
	daily			
	monthly			<u>,</u>
mark only one with an x		C	Violation Base	Penalty \$250
Willian X	semiannual annual			
***************************************	single event			
One quarte	rly event is recommen	ded from the date of the of screening, September	investigation, August 16, 2007, to the 26, 2007.	ne date
Economic Benefit (EB) for the	nis violation		Statutory Limit Test	
Estimate	ed EB Amount	\$224	Violation Final Penal	ty Total \$405
***************************************		This violation Fig	nal Assessed Penalty (adjusted fo	r limits) \$405
		ins violation in		

Respondent Case ID No.	34591				· · · · · · · · · · · · · · · · · · ·	istre dan istre Harita	
Reg. Ent. Reference No. Media Violation No.	Public Water S				e de la companya de l	Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	100 per 100 pe					
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Bulldings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0;ò	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0 *0	n/a n/a	\$0 ©0
Permit Costs Other (as needed)				0,0	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs				31.1			e de la companya de
Motes for DELATED Costs						20.00 J	
Avoided Costs	ANI	NUALIZE [1] avoide	d costs before o			one-time avoided c	
Disposal	****	16 A 0057	4 M-1 0000	0,0	\$0	\$0 #040	\$0
Personnel	\$300	16-Aug-2007	1-May-2008	0.7	\$11	\$213 \$0	\$224
Inspection/Reporting/Sampling				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/equipment				0,0	\$0	\$0 \$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3] Other (as needed)				0.0	\$0	\$0	\$0
Other (as necessar)	The avoided o	ost includes the exa	m costs for a Cla	ss B or C	applicable licens	se and to take the su	face water Un
Notes for AVOIDED costs	I and Un	lt II courses, calcula	ted from the date	or the in	vestigation to the	esumated date of co	mphanoe.

The State of the S

Compliance History

Customer/Respondent/Owner-Operator:

CN600344048

City of Mart

Classification: AVERAGE

Rating: 2.00

Regulated Entity:

RN101388544

CITY OF MART

Classification:

Site Rating:

ID Number(s):

REGISTRATION

1550005

PUBLIC WATER SYSTEM/SUPPLY

WATER LICENSING

LICENSE

1550005

Location:

112 N COMMERCE ST, MART, TX

TCEQ Region:

REGION 09 - WACO

Date Compliance History Prepared:

September 09, 2007

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

September 9, 2002 to September 9, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Epi Villarreal

Phone:

(210) 403-4033

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

Yes

2. Has there been a (known) change in ownership of the site during the compliance period?

No

3. If Yes, who is the current owner?

N/A

4. if Yes, who was/were the prior owner(s)?

N/A

5. When did the change(s) in ownership occur?

N/A

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 01/08/2005

ADMINORDER 2003-1437-PWS-E

Classification: Minor

30 TAC Chapter 290, SubChapter D 290.44(h)[G] Description: Failure to provide adequate backflow protection.

Classification: Minor

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(A) Description: Failure to provide adequate raw water pump capacity.

Classification: Minor

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(C) Description: Failure to provide adequate transfer pump capacity.

Classification: Minor

30 TAC Chapter 290, SubChapter D 290.43(e)

Description: Failure to maintain the fence at the Highway 164 booster plant in an intruder resistant manner.

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facility and equipment. The packing glands on the backwash pump, two booster pumps, the 250,000-gallon elevated ground storage tank, and the Battle Ck Golf Course standpipe were leaking.

Classification: Major

30 TAC Chapter 290, SubChapter D 290.42(d)(5)

Description: Failure to provide a separate flow measuring device at the surface water treatment plant to

measure the recycled decant water.

Classification: Major

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(ii)

Description: Failure to calibrate the disinfectant residual analyzers properly.

Classification: Major

30 TAC Chapter 290, SubChapter D 290,42(k)

Description: Failure to maintain a current and thorough plant operations manual for operator review and

reference.

Classification: Minor

30 TAC Chapter 290, SubChapter D 290.43(c)[G]

Description: Failure to provide a proper ground storage tank roof to prevent the possibility of contamination. Holes in the roof of the 70,000 gallon elevated storage tank on Hawkins St. with separations between the

sidewall of the tank and the roof, no gasket on the roof hatch, and hatch could

not be locked were on annual report.

Effective Date: 11/24/2005

ADMINORDER 2005-1219-PWS-E

Classification: Major

30 TAC Chapter 290, SubChapter F 290.113(f)(5) Citation:

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the MCL for HAA5 in the third guarter of 2004

Classification: Major

Citation:

30 TAC Chapter 290, SubChapter F 290.113(f)(4)

5A THC Chapter 341, SubChapter A 341.0315(c)

Description: Violated the MCL for TTHM in the third quarter of 2004

В. Any criminal convictions of the state of Texas and the federal government.

N/A

Chronic excessive emissions events. C

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

> 08/29/2003 (24437)06/10/2004 (263793)11/30/2004 (339620)06/29/2005 (397653)10/05/2005 (431452)01/20/2006 (439215)03/13/2006 (456492)11/21/2006 (516896)

Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

(535875)

Date: 05/20/2004

Self Report?

Classification:

Classification:

Classification:

Minor

Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(4)

Description:

01/22/2007

Failure to maintain all water storage facilities in a watertight condition.

Date:

10/07/2005

(431452)

(263793)

Self Report?

30 TAC Chapter 290, SubChapter D 290.46(n)(1)

Citation: Description:

Citation:

Citation:

Failure to provide accurate and up-to-date detailed as-built plans or record drawings

and specifications.

Self Report?

30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Minor

Description: Self Report?

NO

Failure to provide up-to-date distribution map.

Classification: Minor

Description:

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(B)(i)

Failure to calibrate the benchtop turbidimeter at least once every ninety days.

NO

Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description:

Self Report?

Failure to verify the accuracy of the manual disinfectant residual analyzer at least

once every thirty days using chlorine solutions of known concentrations.

NO Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

30 TAC Chapter 290, SubChapter D 290.43(e)

Failure to provide an intruder-resistant fence in order to protect the well, ground Description:

storage tanks, elevated tank and clearwell.

Minor Self Report? NO Classification: 30 TAC Chapter 290, SubChapter D 290.41(e)(2)(C) Citation: Description: Failure to establish regulations in the city ordinances governing the 200 foot restriction zone at the raw water intake. NO Classification: Minor Self Report? 30 TAC Chapter 290, SubChapter D 290.43(c)(1) Citation: Description: Failure to provide a proper roof vent on the ground storage tank. Self Report? Classification: Minor Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(1) Failure to properly install air release devices in the distribution system. Description: Classification: Minor Self Report? Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4) Failure to provide a water level indicator on all clearwells and water storage tanks. Description: Classification: Minor NO Self Report? 30 TAC Chapter 290, SubChapter D 290.43(c)(6) Citation: Description: Failure to prevent leaking of all water storage tanks. Classification Minor NO Self Report? 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(B) Citation: Description: Failure to properly house gas chlorine cylinders. Minor Self Report? NO Classification 30 TAC Chapter 290, SubChapter D 290.42(d)(13)[G] Citation: Description: Failure to identify all chemical feed lines. 08/09/2006 (487779)Date: Classification Minor NO Self Report? 30 TAC Chapter 290, SubChapter D 290.44(d)[G] Citation: 30 TAC Chapter 290, SubChapter D 290.46(r) Failure to design and maintain a water distribution system to provide at all times a Description: minimum pressure of 35 pounds per square inch (psi). 04/24/2007 (557484)Date: Classification Major

Self Report? NO

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

Citation: Description:

Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/L free chlorine or 0.5 mg/L total chlorine

as per agency regulations.

Environmental audits.

N/A

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. Η.

Participation in a voluntary pollution reduction program.

Early compliance.

N/A

Sites Outside of Texas

N/A

And the second of the second o

Section 1.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF MART	§	
RN101388544	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-1456-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Mart ("the City") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the City appear before the Commission and together stipulate that:

- 1. The City owns and operates a public water supply at 112 North Commerce Street in Mart, McLennan County, Texas (the "Facility") that has approximately 1,241 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the City agree that the Commission has jurisdiction to enter this Agreed Order, and that the City is subject to the Commission's jurisdiction.
- 3. The City received notice of the violations alleged in Section II ("Allegations") on or about August 22, 2007 and September 24, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the City of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Nine Thousand Eight Hundred Seventy-Seven Dollars (\$9,877) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The City has paid Seven Thousand Nine Hundred Two Dollars (\$7,902) of the administrative penalty and One Thousand Nine Hundred Seventy-Five Dollars (\$1,975) is deferred contingent upon the City's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this

, • Agreed Order. If the City fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the City to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the City have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the City has implemented the following corrective measures at the Facility:
 - a. Provided documentation demonstrating compliance with the disinfection residual requirement on July 11, 2007;
 - b. Submitted a photo demonstrating compliance with the locked building that houses the raw water pumps, as documented on October 26, 2007;
 - c. Repaired and rendered the fences at the Hawkins and Lumpkin elevated storage tank sites intruder-resistant, as documented on October 26, 2007;
 - d. Began initiating a maintenance program to ensure the appearance of the Facility by clearing the overgrown vegetation from the fence at the standpipe, as documented on October 26, 2007;
 - e. Submitted photos demonstrating compliance with the leaks at the surface water treatment plant's below ground storage tank's overflow, valve at the Highway 164 site, and valve on the Lumpkin's elevated storage tank, as documented on October 26, 2007;
 - f. Submitted a photo demonstrating compliance with the vacuum breaker requirement, as documented on October 26, 2007;
 - g. Posted a legible sign containing the name of the water supply and emergency telephone numbers at the raw water intake site, as documented on October 26, 2007;
 - h. Submitted a photo of the hinged flap valve type on the Hawkins street elevated tank, as documented on October 26, 2007;
 - i. Submitted documentation demonstrating compliance with American National Standards Institute/National Sanitation Foundation Standard 60 for all of the chemicals used by the system and submitted the backflow prevention assembly test reports, as documented on October 26, 2007; and
 - j. Sealed the wellhead to the sealing block and sealed the cracks on the sealing block, as documented on October 26, 2007.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the

Method of the property of the property of the property.

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. Live the second of the state of the second of Live the state of the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.

- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the City is alleged to have:

- 1. Failed to maintain a free chlorine residual of at least 0.2 milligrams per liter ("mg/L") throughout the distribution system at all times, in violation of 30 Tex. ADMIN. CODE § 290.110(b)(4) and Tex. Health & Safety Code § 341.0315(c), as documented during an investigation conducted on July 10, 2007.
- 2. Failed to provide an intruder-resistant fence to protect the Facility's raw water pumps, in violation of 30 Tex. ADMIN. CODE § 290.41(e)(5), as documented during an investigation conducted on August 16, 2007.
- 3. Failed to provide an intruder-resistant fence to protect the Facility's elevated and ground storage tanks, in violation of 30 Tex. ADMIN. CODE § 290.43(e), as documented during an investigation conducted on August 16, 2007.
- 4. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 Tex. ADMIN. CODE § 290.46(m), as documented during an investigation conducted on August 16, 2007.
- 5. Failed to maintain all treatment units, storage and pressure maintenance facilities, distribution system lines and related appurtenances in a watertight condition, in violation of 30 Tex. ADMIN. CODE §§ 290.46(m)(4) and 290.43(c)(6), as documented during an investigation conducted on August 16, 2007. Specifically, at the time of the investigation, there were leaks observed at the Facility's below ground storage tank's overflow, a valve at the Highway 164 site, a valve on the Lumpkin elevated storage tank, and a large leak in the bolted steel ground storage tank at the Facility.
- 6. Failed to store dry chemicals off the floor in a dry room that is located above the ground and protected against flooding or wetting from floors, walls, and ceilings, in violation of 30 TEX. ADMIN. CODE § 290.42(f)(1)(D), as documented during an investigation conducted on August 16, 2007.
- 7. Failed to provide vacuum breakers on each hose bibb within the Facility, in violation of 30 TEX. ADMIN. CODE § 290.42(d)(2)(A), as documented during an investigation conducted on August 16, 2007.

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- 8. Failed to post a legible sign that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted, in violation of 30 Tex. ADMIN. CODE § 290.46(t), as documented during an investigation conducted on August 16, 2007.
- 9. Failed to design a proper roof slope on the ground storage tank in accordance with American Water Works Association ("AWWA") standards so that no water ponds at any point on the roof and the roof has a slope of less than 0.75 inches per foot, in violation of 30 Tex. ADMIN. CODE § 290.43(c), as documented during an investigation conducted on August 16, 2007.
- 10. Failed to provide adequate containment facilities for all liquid chemical storage tanks, in violation of 30 Tex. Admin. Code § 290.42(f)(1)(E)(ii), as documented during an investigation conducted on August 16, 2007.
- 11. Failed to maintain the overflow on the Facility's storage tanks in strict accordance with current AWWA design standards, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(3), as documented during an investigation conducted on August 16, 2007.
- Failed to equip each filter with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators, in violation of 30 Tex. ADMIN. CODE § 290.42(d)(11)(D)(i), as documented during an investigation conducted on August 16, 2007.
- 13. Failed to provide water system records to Commission personnel at the time of the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), as documented during an investigation conducted on August 16, 2007.
- 14. Failed to seal the wellhead with a gasket or sealing compound to prevent the possibility of contaminating the well water, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(K), as documented during an investigation conducted on August 16, 2007.
- 15. Failed to employ an additional water works operator for a surface water system that serves more than 1,000 connections with a valid applicable license, in violation of 30 Tex. ADMIN. CODE § 290.46(e)(6)(B) and Tex. Health & Safety Code § 341.033(a), as documented during an investigation conducted on August 16, 2007.

III. DENIALS

The City generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the City pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Mart, Docket No. 2007-1456-PWS-E" to:

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Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the City shall undertake the following technical requirements:
 - a. Within 10 days after the effective date of this Agreed Order, begin compiling and maintain properly completed monthly water works operation reports and maintenance records, including but not limited to: annual tank inspection forms for all water storage tanks, calibration records for flow measuring devices, and customer service agreements, in accordance with 30 Tex. Admin. Code § 290.46.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Provide proper chemical storage for the calcium hypochlorite, in accordance with 30 Tex. ADMIN. CODE § 290.42;
 - ii. Provide secondary containment facilities for the liquid ammonium sulfate drums, as required by 30 TEX. ADMIN. CODE § 290.42; and
 - iii. Employ a water works operator who holds a minimum of a Class C surface water license and have the current operators take the required surface water Unit I and II courses, in accordance with 30 Tex. ADMIN. CODE § 290.46.
 - c. Within 45 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.g., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions 2.a. and b.
 - d. Within 60 days after the effective date of this Agreed Order:
 - i. Provide intruder-resistant fences or lockable buildings to protect the Highway 164 ground storage tank site, in accordance with 30 Tex. ADMIN. CODE § 290.43;
 - ii. Ensure that the hinged flap valve on the bolted ground storage tank at the surface water treatment is properly placed and not submerged in water, in accordance with 30 Tex. ADMIN. CODE § 290.43;
 - iii. Equip each filter at the Facility with a manually adjustable rate-of-flow controller with rate-of-flow indication or flow control valves with indicators, as required by 30 Tex. ADMIN. CODE § 290.42; and
 - iv. Repair the leak in the bolted steel ground storage tank, in accordance with 30 TEX. ADMIN. CODE § 290.43.

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- e. Within 75 days after the effective date of this Agreed Order, submit written certification as described below in Ordering Provision 2.g., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d.
- f. Within 90 days after the effective date of this Agreed Order, repair or replace the clearwell's roof so that it conforms to AWWA standards such that no water ponds at any point on the roof and the roof has a slope of less than 0.75 inches per foot, in accordance with 30 Tex. ADMIN. CODE § 290.43.
- g. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.f. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Waco Regional Office Texas Commission on Environmental Quality 6801 Sanger Avenue, Suite 2500 Waco, Texas 76710-7826

- 3. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written

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John M. Bernstein, J. Steiner, M. Bernstein, M. Bernstein, J. Steiner, M. Bernstein, J. $\label{eq:total_state} \mathbf{f}(x,t_1) = \mathbf{f}(x,t_2)$

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City of Mart DOCKET NO. 2007-1456-PWS-E Page 7

approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 5. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Gol Srelin	3/11) 7208
For the Executive Director	Date
attached Agreed Order on behalf of the entity in	e attached Agreed Order. I am authorized to agree to the adicated below my signature, and I do agree to the terms nowledge that the TCEQ, in accepting payment for the presentation.
 timely pay the penalty amount, may result in: A negative impact on compliance history Greater scrutiny of any permit application Referral of this case to the Attorney Geopenalties, and/or attorney fees, or to a confirm Increased penalties in any future enforce 	ons submitted; eneral's Office for contempt, injunctive relief, additional election agency; ement actions; ral's Office of any future enforcement actions; and by law.
Calun Jones Signature	Date January 8, 2008
Calvin Jones, Jr. Name (Printed or typed) Authorized Representative of City of Mart	Title Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

